

Federal Communications Commission

DA 04-1026

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Amendment of Section 73.202(b),)	MB Docket No. 03-77
Table of Allotments,)	RM-10660
FM Broadcast Stations.)	RM-10835
(Ashland, Coaling, Cordova, Decatur, Dora,)	
Hackleburg, Hobson City, Holly Pond, Killen,)	
Midfield, Scottsboro, Sylacauga, and Tuscaloosa,)	
Alabama, Atlanta, Georgia, and Pulaski,)	
Tennessee))	

REPORT AND ORDER

Adopted: April 14, 2004

Released: April 19, 2004

By the Assistant Chief, Audio Division:

1. The Audio Division has before it the *Notice of Proposed Rule Making* in this proceeding.¹ Cox Radio, Inc. and its wholly-owned subsidiary CXR Holdings, Inc. ("Cox Radio") filed Comments and Reply Comments. Kea Radio, Inc. and Pulaski Broadcasting, Inc. ("Kea Pulaski") filed Comments, Reply Comments, Supplemental Comments and Further Supplemental Comments along with Motions to accept its Supplemental Comments. Cox Radio filed a Response to Supplemental Comments. Cox Radio, Williams Communications and Kea Pulaski filed Joint Additional Supplemental Comments. For the reasons discussed below, we are modifying the licenses of nine stations to reflect a new community of license and/or upgrade of an allotment.

Background

2. In response to a Petition for Rule Making filed by Cox Radio, the *Notice* in this proceeding proposed the substitution of Channel 239C2 for Channel 239C1 Tuscaloosa, Alabama, reallocation of Channel 239C2 to Midfield, Alabama, and modification of the Station WBHJ license to specify operation on Channel 239C2 at Midfield. To accommodate this reallocation, Cox Radio proposed the reallocation of Channel 238A from Holly Pond, Alabama, to Hackleburg, Alabama, and modification of the Station WFMH-FM license to specify Hackleburg as the community of license. To replace the loss of the sole local service at Holly Pond, Cox Radio proposed the reallocation of Channel 245C from Decatur, Alabama, to Holly Pond, and modification of the Station WRSA license to specify Holly Pond as the community of license. In order to accommodate Channel 239C2 at Midfield, Cox Radio also proposed the reallocation of Channel 237A from Cordova, Alabama, to Coaling, Alabama, and modification of the Station WFFN license to specify Coaling as the community of license. To replace the loss of the sole local service at Cordova, Cox Radio proposed the reallocation of Channel 223A from Dora, Alabama, to Cordova and modification of the Station WQOP-FM license to specify Cordova as the community of license. In addition, Cox Radio proposed the reallocation of Channel 238A from Ashland, Alabama, to Hobson City, Alabama, and modification of the Station WASZ license to specify Hobson City as the community of license. To replace the loss of the sole local service Ashland, Cox Radio proposed the reallocation of Channel 252A

¹ Ashland, Coaling, Cordova, Decatur, Dora, Hackleburg, Hobson City, Holly Pond, Midfield, Sylacauga and Tuscaloosa, Alabama, and Atlanta, Georgia, 18 FCC Rcd 4962 (MB 2003).

from Sylacauga, Alabama, to Ashland and modification of the Station WTRB-FM license to specify Ashland as the community of license. Finally, the reallocation of Channel 252A to Ashland will require Station WSB-FM, Channel 253C, Atlanta, Georgia, to be reclassified to specify operation on Channel 253C0.²

3. In response to the *Notice*, Kea Pulaski filed a Counterproposal proposing the substitution of Channel 252C3 for Channel 252A at Scottsboro, Alabama, and modification of the Station WKEA license to specify operation on Channel 252C3. To accommodate Channel 252C3 at Scottsboro, Kea Pulaski proposed the substitution of Channel 252C3 for Channel 252A at Pulaski, Tennessee, reallocation of Channel 252C3 to Killen, Alabama, and modification of the Station WKSR-FM license to specify operation on Channel 252C3 at Killen. The proposed Channel 252C3 upgrade at Scottsboro conflicted with the proposed Channel 252A reallocation to Ashland. Thereafter, in Joint Additional Supplement Comments, the parties reached a settlement by which Kea Pulaski would amend its Counterproposal to specify a new site for the proposed Channel 252C3 upgrade at Scottsboro. At this new site, the upgrade at Scottsboro would no longer be in conflict with the Channel 252A reallocation to Ashland.

4. Eight of the proposals in this proceeding request a change in community of license. These requests were filed pursuant to Section 1.420(i) of the Commission's Rules which permits the modification of a station's authorization to specify a new community of license without affording other interested parties an opportunity to file a competing expression of interest.³ In evaluating a proposal, we compare the existing versus the proposed arrangement of allotments using the FM allotment priorities set forth in *Revision of FM Assignment Policies and Procedures*.⁴

Tuscaloosa and Midfield, Alabama

5. We are substituting Channel 239C2 for Channel 239C1 at Tuscaloosa, Alabama, reallocating Channel 239C2 to Midfield, Alabama, and are modifying the Station WBHJ license to specify operation on Channel 239C2 at Midfield.⁵ This will provide a first local service to Midfield while Tuscaloosa will continue to receive local service from seven stations. We recognize that Midfield is located within the Birmingham Urbanized Area. In this regard, we are concerned with the potential migration of stations from lesser-served rural areas to well-served urban areas. For this reason, we will not blindly apply a first local service preference of the FM allotment priorities when a station seeks to reallocate its channel to a suburban community in or near an Urbanized Area. In making such a determination, we apply existing precedents.⁶ With regard to this situation, our concern with migration to Urbanized Areas would not be of concern because this reallocation proposal involves reallocating a channel from Tuscaloosa, already the central city in

² CXR Holdings, Inc. is the licensee of Station WSB-FM and has agreed to the Class C0 reclassification.

³ See *Modification of FM and TV Authorizations to Specify a New Community of License* ("Community of License"), 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990).

⁴ 90 FCC 2d 88 (1988). The FM allotment priorities are: (1) First fulltime aural service; (2) Second fulltime aural service; (3) First local service; and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3).

⁵ The reference coordinates for the Channel 239C2 allotment at Midfield, Alabama, are 33-24-50 and 87-01-05.

⁶ See e.g. *Huntington Broadcasting Co. v. FCC*, 192 F. 2d 33 (D.C. Cir. 1951); *RKO General, Inc. (KFRC)*, 5 FCC Rcd 3222 (1990); *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988).

the Tuscaloosa Urbanized Area, to a community in the Birmingham Urbanized Area.⁷ In determining whether a proposed reallocation to an Urbanized Area is entitled to consideration as a first local service, we consider the extent the station will provide service to the entire Urbanized Area, the relative populations of the suburban and central city, and, most important of all, the independence of the suburban community.

6. In this situation, Midfield, an incorporated community with a population of 5,626 persons, would be entitled to consideration as a first local service. This population total is substantial and supports consideration as a first local service.⁸ With respect to coverage of the Urbanized Area, we note that as a Class C2 facility, Station WBHJ will invariably cover a significant, if not all, portion of the Birmingham Urbanized Area and this coverage does preclude favorable consideration as a first local service. In any event, the Commission has stated that these factors have less significance than evidence of independence.⁹

7. Consistent with the factors set forth in *Faye and Richard Tuck, supra*, we conclude that Midfield is not dependent upon the Birmingham Urbanized Area for its existence. Midfield is an incorporated community located nine miles from Birmingham with an elected mayor and city council. The Midfield local government provides police fire and public works services. Midfield has its own schools and public library. In addition to its own recreation facilities, Midfield has its own commercial establishments, civic organizations and health facilities. Over 40% of the Midfield residents work in Midfield or outside of Birmingham. Midfield has its own zip code and post office.

8. To accommodate the Channel 239C2 reallocation at Midfield, we are reallocating Channel 238A from Holly Pond, Alabama, to Hackleburg, Alabama, and are modifying the Station WFMH-FM license to specify Hackleburg as the community of license.¹⁰ This will provide a first local service to Hackleburg. Hackleburg is an incorporated community with a population of 1,527 persons. As a Hackleburg allotment, Station WFMH-FM will not serve any Urbanized Area. Voice of Cullman, LLC, licensee of Station WFMH-FM has agreed to this reallocation and Cox Radio has agreed to reimburse Voice of Cullman, LLC for the costs of changing its community of license.¹¹ To replace the loss of the sole local service at Holly Pond, we are reallocating Channel 245C from Decatur, Alabama, to Holly Pond and are modifying the Station WRSA license to specify Holly Pond as the community of license.¹² NCA, Inc., licensee of Station WRSA has agreed to this reallocation and Cox Radio has agreed to reimburse NCA, Inc. for the costs of changing the community of license. Decatur will continue to be served by four local stations.

9. In order to accommodate Channel 239C2 at Midfield, we are also reallocating Channel 237A from

⁷ See e.g. *Boulder and Lafayette, Colorado*, 11 FCC Rcd 3632 (MMB 1996); *Long Beach and East Los Angeles, California*, 10 FCC Rcd 2864 (MMB 1995).

⁸ Cf. *Ada, Newcastle and Watonga, Oklahoma*, 11 FCC Rcd 16896 (MMB 1996) (finding Newcastle independent of Oklahoma City despite population equal to 0.9% of that of the central city); *Scotland Neck and Pinetops, North Carolina*, 7 FCC Rcd 5113 (MMB 1992) (finding Pinetops independent of Rocky Mount with a population 3% of the central city)

⁹ *Headland, Alabama, and Chattahoochee, Florida*, 10 FCC Rcd 10352 (1995).

¹⁰ The reference coordinates for the Channel 238A allotment at Hackleburg, Alabama, are 34-13-15 and 87-45-00.

¹¹ See *Circleville, Ohio*, 8 FCC 2d 159 (1967). Williams Communications holds an option to purchase Station WFMH-FM and has agreed to this change in community of license.

¹² The reference coordinates for the Channel 245C allotment at Holly Pond, Alabama, are 34-29-23 and 86-37-38.

Cordova, Alabama, to Coaling, Alabama, and are modifying the Station WFFN license to specify Coaling as the community of license.¹³ New Century Radio, Inc., licensee of Station WFFN, has agreed to this reallocation and Cox Radio has agreed to reimburse New Century Radio, Inc., for the costs of changing the community of license. This will provide a first local service for Coaling. Coaling is an incorporated community governed by a mayor and city council. In addition to local businesses, a volunteer fire department and recreation facilities, Coaling has its own ZIP code and post office. Coaling is not located within any Urbanized Area and Station WFFN will not provide a 70 dBu signal to more than 50% of any Urbanized Area. As such, a *Tuck* showing is not required.¹⁴ To replace the loss of the sole local service from Cordova, we are reallocating Channel 223A from Dora, Alabama, to Cordova, and are modifying the Station WQOP-FM license to specify Cordova as the community of license.¹⁵ Dora will continue to receive local service from Station WPYK. Queen of Peace Radio, Inc., licensee of Station WQOP-FM has agreed to the reallocation and Cox Radio has agreed to reimburse Queen of Peace Radio, Inc. for the costs of changing its community of license.

10. We are reallocating Channel 238A from Ashland, Alabama, to Hobson City, Alabama, and are modifying the Station WASZ license to specify Hobson City as the community of license.¹⁶ This will provide a first nighttime service to Hobson City. This reallocation will result in a net service gain to approximately 81,200 persons. With the exception of 1,800 persons receiving four aural services and 3,400 persons receiving three aural services, the entire loss area will continue to receive at least five aural services.¹⁷ Williams Communications, Inc., licensee of Station WASZ, has agreed to the reallocation and Cox Radio has agreed to reimburse Williams Communications, Inc. for the costs of changing its community of license. To replace the sole local operating service at Ashland, we are reallocating Channel 252A from Sylacauga, Alabama, to Ashland, and are modifying the Station WTRB-FM license to specify Ashland as the community of license.¹⁸ Williams Communications, Inc. is also the licensee of Station WTRB-FM and has again agreed to the reallocation and Cox Radio has agreed to reimburse Williams Communications, Inc. for the costs of changing its community of license. In order to reallocate Channel 252A to Ashland, we are reclassifying the Channel 253C allotment at Atlanta, Georgia, to Channel 253C0, and are modifying the Station WSB-FM license to specify operation on Channel 253C0.¹⁹ CXR Holdings, Inc., licensee of Station WSB-FM, is a wholly-owned subsidiary of Cox Radio and has agreed to this reclassification.

Scottsboro and Killen, Alabama, and Pulaski, Tennessee

11. We are substituting Channel 252C3 for Channel 252A at Scottsboro, Alabama, and are modifying the Station WKEA license to specify operation on Channel 252C3.²⁰ We are specifying the

¹³ The reference coordinates for the Channel 237A allotment at Coaling, Alabama, are 33-04-58 and 87-27-02.

¹⁴ See *Headland, Alabama, and Chattahoochee, Florida*, *supra*.

¹⁵ The reference coordinates for the Channel 223A allotment at Cordova, Alabama, are 33-38-55 and 87-09-19.

¹⁶ The reference coordinates for the Channel 238A allotment at Hobson City, Alabama, are 33-29-30 and 85-52-55.

¹⁷ *C.f. Clinton and Okarche, Oklahoma*, 14 FCC Rcd 3554 (MMB 1999)(granted proposed reallocation even though 10,369 persons would now receive four aural services).

¹⁸ The reference coordinates for the Channel 252A allotment at Ashland, Alabama, are 33-13-30 and 85-53-40.

¹⁹ The reference coordinates for the Channel 253C0 allotment at Atlanta, Georgia, are 33-45-33 and 84-20-05.

²⁰ The reference coordinates for the Channel 252C3 allotment at Scottsboro, Alabama, are 34-30-40 and 86-01-54.

alternate reference coordinates for The Channel 252C3 upgrade suggested by the parties in the Joint Additional Supplemental Comments. This upgrade will result in a net gain in service to 97,520 persons. Utilizing this site will obviate any possible issue with respect to compliance with our principle city coverage requirement and lead to a resolution of this proceeding.²¹ In order to accommodate the Channel 252C3 upgrade at Scottsboro, we are substituting Channel 252C3 for Channel 252A at Pulaski, Tennessee, reallocating Channel 252C3 to Killen, Alabama, and are modifying the Station WKSJ-FM license to specify operation on Channel 252C3 at Killen.²² This will provide a first local service to Killen while Pulaski will continue to receive local service from AM Station WKSJ. While Killen is not located within the Florence-Sheffield-Muscle Shoals-Tusculumbia Urbanized Area, Station WKSJ-FM will provide a 70 dBu signal to 62% of the Urbanized Area. The modification of the Station WKSJ-FM license would be entitled to consideration as a first local service under *Tuck*. Killen is an incorporated community of 1,118 persons separated from Florence and the other principle communities in the Urbanized Area by Wilson Lake. With respect to the coverage of the Urbanized Area, we note that as a Class C3 facility, Station WKSJ-FM will invariably cover a significant portion of the Urbanized Area and this coverage does not preclude favorable consideration as a first local service in view of the independence of Killen from the Urbanized Area. Killen is governed by a mayor and board of aldermen. The local Killen government provides police and fire service as well as a municipal court, parks and recreation facilities. There are local businesses and health care facilities in Killen. Killen has its own public library, civic organizations and churches. In addition to a weekly newspaper, Killen has its own post office and ZIP code.

12. Accordingly, pursuant to authority contained in Sections 4(i), 5 (c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective June 4, 2004, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Ashland, Alabama	252A
Coaling, Alabama	237A
Cordova, Alabama	223A
Decatur, Alabama	271C1
Dora, Alabama	----
Hackleburg, Alabama	238A
Hobson City, Alabama	238A
Holly Pond, Alabama	245C
Killen, Alabama	252C3
Midfield, Alabama	239C2
Scottsboro, Alabama	252C3
Sylacauga Alabama	----
Tuscaloosa, Alabama	----
Pulaski, Tennessee	----

²¹ See Section 73.315(a) of the Commission's rules.

²² The reference coordinates for the Channel 252C3 allotment at Killen, Alabama, are 34-58-40 and 87-36-05.

Atlanta, Georgia

225C1, 235C1, 241C, 253C0, 259C, 271C

13. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the license of CXR Holdings, Inc. for Station WBHJ, Channel 239C1, Tuscaloosa, Alabama, IS MODIFIED to specify operation on Channel 239C2 at Midfield, Alabama, subject to the following conditions:

- (a) Within 90 days of the effective date of this Order, the licensee shall file with the Commission a minor change application for construction permit (FCC Form 301) specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules;
- (c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

14. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the license of Voice of Cullman, LLC for Station WFMH-FM, Channel 238A, Holly Pond, Alabama, IS MODIFIED, to specify operation on Channel 238A at Hackleburg, Alabama, subject to the following conditions:

- (a) Within 90 days of the effective date of this Order, the licensee shall file with the Commission a minor change application for construction permit (FCC Form 301) specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules PROVIDED that Station WRSA has commenced operation at Holly Pond, Alabama;
- (c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

15. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the license of NCA, Inc. for Station WRSA, Channel 245C, Decatur, Alabama, IS MODIFIED, to specify operation on Channel 245C at Holly Pond, Alabama, subject to the following conditions:

- (a) Within 90 days of the effective date of this Order, the licensee shall file with the Commission a minor change application for construction permit (FCC Form 301) specifying the new facility;

(b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules;

(c) Nothing herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

16. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of New Century Radio, Inc. for Station WFFN, Channel 237A, Cordova, Alabama, IS MODIFIED, to specify operation on Channel 237A at Coaling, Alabama, subject to the following conditions:

(a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for construction permit (FCC Form 301) specifying the new facility;

(b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules PROVIDED that Station WQOP-FM has commenced operation at Cordova, Alabama;

(c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

17. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Queen of Peace Radio, Inc. for Station WQOP-FM, Channel 223A, Dora, Alabama, IS MODIFIED, to specify operation on Channel 223A at Cordova, Alabama, subject to the following conditions:

(a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for construction permit (FCC Form 301) specifying the new facility;

(b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules;

(c) Nothing contained herein shall be construed to authorize a change transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

18. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934,

as amended, the license of Williams Communications, Inc. for Station WASZ, Channel 238A, Ashland, Alabama, IS MODIFIED, to specify operation on Channel 238A at Hobson City, Alabama, subject to the following conditions:

- (a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for construction permit (FCC Form 301), specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules PROVIDED that Station WTRB-FM has commenced operation at Ashland, Alabama;
- (c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

19. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Williams Communications, Inc. for Station WTRB-FM, Channel 252A, Sylacauga, Alabama, IS MODIFIED, to specify operation on Channel 252A at Ashland, Alabama, subject to the following conditions:

- (a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for construction permit (FCC Form 301) specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules;
- (c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

20. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Kea Radio, Inc. for Station WKEA, Channel 252A, Scottsboro, Alabama, IS MODIFIED, to specify operation on Channel 252C3 at Scottsboro, Alabama, subject to the following conditions:

- (a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for construction permit (FCC Form 301) specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules;

(c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

21. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Pulaski Broadcasting, Inc. for Station WKSJ-FM, Channel 252A, Pulaski, Tennessee, IS MODIFIED, to specify operation on Channel 252C3 at Killen, Alabama, subject to the following conditions:

(a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for construction permit (FCC Form 301) specifying the new facility;

(b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules;

(c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

22. Pursuant to Sections 1.1104(1)(k) and (2)(k) of the Commission's Rules, any party seeking a change in community of license of an FM or television allotment or an upgrade of an existing FM allotment, if the request is granted, must submit a rulemaking fee when filing the application to implement the change in community of license and/or upgrade. As a result of this proceeding, the licensees receiving an upgrade and/or change in community of license are required to submit a rulemaking fee in addition to the fee required for the application to effect the upgrade and/or change in community of license.

23. IT IS FURTHER ORDERED, That the Secretary shall send a copy of this Report and Order BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to:

Clark Jones
Voice of Cullman, LLC
18 Co. Winstead Drive
Brentwood, Tennessee 37037

Houston Pearce
New Century Radio, Inc.
142 Skyland Boulevard
Tuscaloosa, Alabama 35405

Chris Williams
Queen of Peace Radio, Inc.
391 14th Avenue South
Jacksonville, Florida 32250

Penelope Nielson
NCA, Inc.
287 Telephone Tower Road
Lacey's Springs, Alabama 35754

24. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

25. For further information concerning this proceeding, contact Robert Hayne, Media Bureau, (202) 418-2177.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau